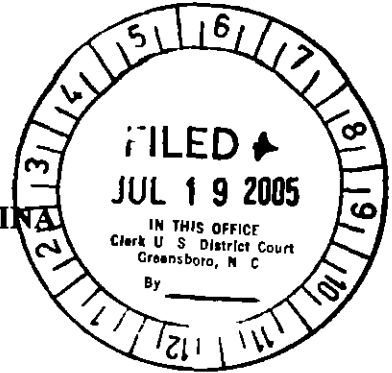


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



Jimmy Covington,

Plaintiff,

v

David Carpenter,

Defendant(s)

1:05CV00629

ORDER TO FILE AND STAY

Plaintiff seeks to proceed in this action in forma pauperis. In reliance upon the representations set forth in the request, the Court finds that plaintiff is unable to make an initial partial payment of the fees in this matter.

IT IS THEREFORE ORDERED that the plaintiff in the above-named action be, and is hereby, permitted to file and prosecute said action in this Court without prepayment of fees or giving security therefor, subject to the conditions set forth below.

IT IS FURTHER ORDERED that, as a condition of plaintiff's proceeding in forma pauperis, plaintiff shall, within twenty (20) days after the date of this Order, submit to the Clerk a signed and completed "Consent to Collection of Fees From Trust Account" form, which the Clerk is sending with this order.

IT IS FURTHER ORDERED that this action be filed, but that further

proceedings and service of summons be stayed until plaintiff has submitted to the Court the "Consent to Collection" form

**FAILURE TO COMPLY WITH THIS ORDER IN A TIMELY MANNER
WILL RESULT IN DISMISSAL OF THIS ACTION WITHOUT FURTHER
NOTICE TO PLAINTIFF.**

/s/ P Trevor Sharp
United States Magistrate Judge

Date July 19, 2005